This

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nooga, Tenn.

firmary?"

A. "I do not recollect ever having so. I have seen jackets on patien

THE INVESTIGATING COMMITTEE.

(Chairman Sadler here addressed Mr

questions to the conduct of Dr. Foster.)
Senator Rison objected to the ruling
of the chair, stating that he thought Mr.
Lawless should ask any questions that

would bring out the method of manage

Use of Jackets,

The cross-examination of the witness was then continued by Colonel Lawless, Dr. Handerson said that he could not

recollect how long the use of straight-jackets continued after he came here.

jackets continued after he came here He said that Dr. Foster agreed with him

and permitted him to discontinue the use

of jackets.

Air, Lawless then placed in evidence a copy of the printed rules of the hospital, signed by Dr. Moncure as superintendent, Witness said he had never seen a copy of these rules.

In reply to a question, witness said that he knew that there was a rule prohibiting the use of mechanical restraint. He said that the rule was not observed when he came here, and that

observed when he came here, and that

he alone, with the co-operation of the superintendent, endeavored to have the rule enforced. He said that he acted as superintendent in the absence of Dr.

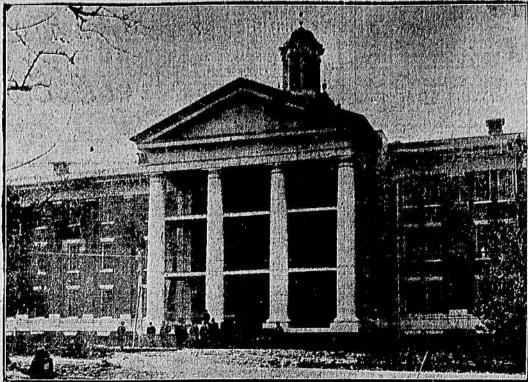
Q. "Did you make daily visits through

the wards when acting as superinten-dent?"

aent?"

A. I did not. I made many visits, but
I did not make daily visits,"
Q. "Did you consult with Dr. Southall
daily?"

YOU



THE MONTAGUE BUILDING AT THE EASTERNSTATE HOSPITAL.

## NEGRO HOSPITAL

whites, and that the attention at the

negro hospital was better than here. When asked to explain the reason of

studied the question. Senator Sadler then asked this ques-"Is it a fact that the negro insane, who

cost the State less than \$10, a year, gots more comfort in every way than the white insane, who cost the State \$30 a

Henderson replied that it was a

The committee will continue the examination of Dr. Henderson to-morrow Bitter Feeling the Cause.

Bitter Feeling the Cause.

To-morrow afternoon at 4:20 the committee will adjourn until Tuesday morning. May lith, after which, it is said, a ten days' session will complete the investigation. The adjournment is to allow the stenographer time to copy his notes and to permit the members of the committee to arrange their private busness afters.

affairs.

The statement printed in The Times-Dispatch to-day that the cause of the investigation is the bitter feeling existing between the Superintendent, Dr. Foster, and the special board, is acknowledged here to be the true-one. Dr. Foster to-day, upon reading the statement, said: "Yes, that is true, only you should have said-one member of the special board. He does not trouble any longer, for he has been removed. I am in harmony with the present board."

The present board consists of Messrs, cole Bland and Wright, Mr. Clowes was. and and Wright. Mr. Clowes was, ew months ago, a member of the

#### The Morning Session.

The Morning Session.

The morning session began at 9:30 o'clock, with all the committee present. Chairman Sadier rapped for order, and then asked that the room be cleared for executive session.

Mr. George T. Bland, of the special board, as well as Dr. O. C. Wright, the new appointee, and Mr. H. D. Cole we's present, making a full special board in attendance. All of these grathemen will be placed on the stand, as well as Judge Garnett, late of the board.

Chairman Sadier, at the close of the executive session, announced that the matters discussed were of a purely legal character.

acter. rgeant-at-Arms Watkins then called Henderson, who did not conclude his

Dr. Henderson, who did not conclude his testimony on yesterday.

Hon. Joseph T. Lawless, counsel for Dr. Foster, the superintendent, asked to be allowed to address the committee. Mr. Lawless complained that his client had been excluded from the court-room on yesterday, when his character/was being assailed. He asserted that the questions asked Dr. Henderson tended to show that Dr. Foster, as superintendent, had not properly managed the hospital. "For the first time in my life," said Mr. Lawless, "I found myself in court

Mr. Lawless, I found hysen in courty without a client;
At this point Chairman Sadier interrupted Mr. Lawless to say that Dr. Foster would be allowed to be present during the examination of any witness who testified as to his management of the hospital. Continuing, Senator Sadier said that any officer of the institution would be allowed to be present if his or her character were assailed.

Senator Rison expressed the opinion that all should be present all the time.

"The character of every officer of this institution is being assailed, and all should be present," said Senator Rison.

Everted Witness.

Excited Witness.

Chairman Sadler declined to rule as Senator Rison requested, stating that the committee had already passed upon the

question and had decided by a majority vote to exclude witnesses. Senator Sadler then turned to Dr. Hen-derson and said: Henderson do you object to tes

"Dr. Henderson, do you\_object to tes-tifying before Dr. Foster."
"I will testify before any one. I do not object," replied Dr. Henderson.
Dr. Foster then entered and took a seat next to his counsel,
Mr. Lawless again protested against the ruling of the committee regarding

excluding witnesses. Mr. Ould then continued his examina that he could not, as he had never

Mr. Ould then continued ms examina-tion of Dr. Henderson.

The witness stated that no examina-tion was made of dead patients, and that if such was the case it was the exception and not the rule.

He said that new patients were only causually examined on arrival and that an minute examination was gone into.

Mr. Ould here read from the rules, showing that a proper examination should

showing that a proper examination should be made.

Continuing, the witness said that a new rule had been recently adopted regarding patients with sucidal tendency. These patients are kept in a certain ward; a special paper is prepared, describing the patient, and the attendants are compelled to sign the paper so that there can be no chance of the attendants not knowing of the suicidal tendency. He knowing of the suicidal tendency. He said that there had been no female suicidal since he had charge of the female wards. There had been four male suicides within that time.

In answer to a question of why the special rule had been adopted regarding there of suicidal tendency, witness said: "Because of the frequent suicides, I sup-

#### Suicide of Bell.

He said that the rule was adopted by the special board and he thought it was enforced because of the suicide of a man named Bell, who was not known to be affected with suicidal mania. The suicidal affected with suicidal mania. The suicidal petients were scattered all through the male wards, but they weer separated in the female wards. Witness said that in his opinion, the use of a straight-jacket was not beneficial.

"I have always been opposed to them; this this they do the petients bear I have

I have always been opposed to them, I think they do the patients harm. I have known patients to be confined in straight-jackets a day and a night without interruption—I mean in this hospital since I have been here."

that there were no night attendants, other than the suicidal watch, and one that went through four times a night. "I think that it would be of the greatest advantage if there were night attendants in case of sickness, of collection for some than the suicidal states of the greatest advantage and the second sickness. national stars over and die from lack of attention. I have known this to occur. In this hospital the only patients who are not locked up are the female suicidal ones—all the others are, locked up. In Petersburg at the negro asylum, there

#### Compared Two Hospitals.

The witness drew a comparison between Central State Hospital (Petersburg negro asylum), and the Eastern State Hospital, showing that the white hospital here is far behind the negro institu-

Senator Sadler: "The State of Virginia

Senator Sadier: "The State of Virginia is providing comforts for the negros at Petersburg that are not enjoyed by the white patients here. Is this not so?" Dr. Henderson: "That is my opinion." Witness then told of the separate building for attendants at Pétersburg and stated that the attendants here slept in the wards. He said that attendants had often complained of not being able to secure sleep on account of noise in the ward. He stated that there were no

# places of amusement at the hospital ex-cept Cameron Hall, which is used as a darichig hall. The basement of Monta-gue Hall, would, he thought, make a splendid amusement hall.

splendid amusement hall.

"Every institution should have such a place. It helps recovery." he said. "On rainy days patients have to sit on benches in the hall. There is but one small room where the patients can sit, and that on the female side."

Senator Sadler here urged witness to keep back nothing, but to tell all that he knew of improper conditions existing.

Beef Generally Tough.

Beef Generally Tough.

The witness said that he had heard complaint of the beef from time to time. It was generally tough.

"I have heard it rumored that the beef was tainted. We do not have beef often on the officer's table. I do not cat it if I can avoid it."

"Do you have the same beef at your table as ithat served at the patients' table?" asked Mr. Ould.

"I do not know." There are two grades of beef bought."

Q. Do you eat oysters, soft-shelled

of beef bought."

Q. Do you cat oysters, soft-shelled crabs, lobster and clam?

A. I have not seen any of these except oysters.

Witness said that the general det remains practically the same all the year. A special diet for the sick is used. In reply to a question he stated that he attended the female patients and Dr. Southall the male patients, and that only very seldom did he visit the male patients or that Dr. Southall visited female patients. He said that he had never held a consultation with Dr. Foster. In reply to a question, he said that at

Petersburg consultations were held daily. "I think it very necessary," but we get on here fairly well and yet we do not hold consultations. For proper maintenance of the hospital consulta-tions should be held. It is necessary for

and he felt sure that Dr. Southall did not know of his (Henderson's), treat-

Schator Rison then asked witness to

state in whitt respect the negroes at Central fared better than the whites here. Witness replied in, first, night watches and night attendants; second, sanitary conditions, and, third, careful attention of

conditions, and, third, careful attention of physicians.

Q. How many more are there here than there?

A. There are 1,200 there and 700 here.
Witness also stated that nurses had a separate building at Petersburg, but there was none here. He stated that he had discussed these matters with the superintendent and with the directors.

In answer to a question Dr. Henderson said:

Negro Hospital Best.

"I consider the system at the Central (negro) is better than the system here."

The witness here went into a description of the system operated at the Central Hospital.

tion of the system operated at the Central Hospital.

Dr. Henderson then stated that attendants take turn in giving medicine; that he considered this plan entirely wrong, but had been unable to break it up. The superintendent, he said, was in sympasthy with him in this. He said that no record was kept of medicine given. At Central Hospital, he said, the day nurse always gave the medicine and kept a chart showing the condition of all sick patients. Dr. Henderson stated that in his opinion the hospital should have a trained nurse; he thought it would greatly help the physicians in earing for the health of the patients. Witness said that in some of the recoms in the female side is a latents along the health of the patients. Witness said that in some of the recoms in the female side is a latent select that the hospital was so crowded that the condition could not be remedied.

Mr. Lawless then began his cross-

Mr. Lawless then began his cross-

Mr. Lawless then began his cross-examination of the witness.
Witness said that when he came here as first assistant there were probably seven or eight female patients in straight jackets. These patients were in a state of mania—that is "excitement," as opposed to melancholia or "depression."
Witness here gave the names of some of the patients who were in straight jackets when he first came to the hospital. He again told of his endeavor to do away with the use of straight jackets.

in touch with the condition of the pa-

tients?"

A. "I cannot answer that question. The rule was made by the board." Here Dr. Foster attempted to ask the witness a question. Chairman Sadler stopped him, saying:

interrupt. Witness said in answer to a question, that he could not remember what the reports of Dr. Southall made to kim as

acting superintendent last February con-tained.

system of the hospital at onco," replied Dr. Henderson.
Witness then said that he did not use straight jackets in his ward. He said that he did not use jackets even with those suffering from suicidal manis.
"I would not use a straight-jacket on any patient under any circumstances, except where a patient was trying to commit suicide. I have used a jacket only once in the last twelve months, and then only for an hour. I do not consider a straight-jacket proper restraint."

G. "Why" did you use the jacket then?"
A. "Because I did not get an attendant and could not get one. There was none to be had."

Q. "Did you ever order a straight-jacket to be put on a patient in the infirmary?"

A. "I do not recollect ever laying done Rapid Fire Examination.

Colonel Lawless hurled a hundred ques colone Lawiess nurse a managed des-tions at the witness with a view to get-ting his opinion of the necessity of the superintendent visiting the wards when there were no critical cases in the wards. Witness continued to answer that the rules spoke for themselves. He.person-

rules apole for themselves. In passive ally, he said, could see no reason o visit patients who were not critically iii.

Witness then again related the incident of an attendant, Miss Dunlop, smacking Mrs. Reynolds, a patient, in the suicidal ward. He reported the fact in writing, but did not make a verbal report, as it did not come to his knowledge except from a patient. He said he did not have a knowledge of the fact.

The committee then took a recess.

#### The Afternoon Session.

committee would adjourn to-nerrow (Saturday), afternoon at 4:30 o'clock, to made to allow the stenographer to cony his notes and to permit the sergeant at arms to summons witnesses who are considered necessary to the investigation.

Dr. Henderson then took the stand and Lawless dontinued his bross

Chairman Sadler interrupted the amination to say that the witness had answered "fully, freely and frankly,"

"I challenge that statement," said Mr. Lawless, springing to his feet.
"Do you mean to question the veracity of the chair," said Senator Sadier.

"Not your veracity, but your memory," replied Colonel Lawless, and the incident closed.

stood he was here by couriesy of the committee, but that he thought that he, as counsel for Dr. Foster, had the right to bring out everything connected with the affairs of the hospital. He said that Dr. Foster's character was assailed, and that he (Dr. Foster) desired all matters brought to light. His client, he said, desired to set at rest forever the slanderous reports that had been circulated regarding him.

Chairman Sadler ruled that Colonel Lawless was present as counsel for Dr. Foster only. dent closed.

The chair a moment after replied that the questions were improper, and Mr. Lawless excepted to the ruling.

Witness stated that he did not question Miss Dunlop regarding the slapping on November 3, 1905, or at any other

#### Rule Requiring Report.

Rule Requiring Report.

In reply to a question asking if he knew the rule which stated that he should report any improper act at once to the superintendent, witness stated that he had so reported in writing. He said that he had also told Mr. Clowes of the matter and that the matter was investigated by the board. He was present, he said, at the invostigation, but preferred not tell what Miss Dunlop said before the board, Miss Dunlop said before the board, Miss Dunlop said before the with the institution and within call.

Mr. Lawless then asked witness what the outcome of the investigation amount. Lawless was present as counsel for Dr. Foster only.

Senator Rison again objected, saying that if Colonel Lawless could bring out information, he thought that he should be allowed to do so.

"Do you mean to appeal from the chair?" said Chairman Sadler.

"Not at this time." said Senator Rison.

The question was ruled out and Mr The question was ruled out and Mr. Lawless read from the record of the board, which set out that the charges against Miss Dunlop were not sustained, and that she was declared innocent.

Colonel Lawless then took up the question of the purchase of lobsters, cysters, clams, ducks, turtles, cigars, ice cream, soft-shell crubs, etc.

Or. Henderson said that he had not purchased any of these things. He said that he had seen such things on the officers' table during the meetings of the officers' table during the meetings of these things go into Dr. Foster's house. He had seen ducks, turtle and oysters on officers' table, but that was not the accustomed fare. He said that cigars were not furnished officers, but were kept up at the office. These cigars cost \$8 a hundred. He said that in his opinion the food was good. He had heard that the beef was not good sometimes. Of his own knowledge he knew of no "tuinted beef"

daily?"

A. "I did not. He made a report to me and we discussed the cases casually."

Q. "Is it not true that all critical cases are removed to the infirmary?"

A. "It is too crowded. There is not room that no major operation had been per-formed in the hospital since he came here. He said that this might be con-Revolutionize System.

Revolutionize System.

"Why did you not order the jackets discarded at once?" asked Mr. 'Awjoss.
"Because I could not revolutionize the superintendent to the wards daily in order to keep to the hospital; that Contral Hospital since he came to the infirmary for the cases that should strued favorable or unfavorable, just as one regarded the matter. He said that his one regarded the matter. He said that he contral to take place last night in the gymnasium of the V. M. C. A. It is too crowded. There is not room there. He said that his one regarded the matter. He said that he contral to take place last night in the gymnasium of the V. M. C. A. Bedskins of the boys' class and the Little Giants of the intermediate class, has been postponed until next Friday night.

WINE CARD

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is the same as that from which Ruby Farley, of Middletown, Calif., suffered, the story of her cure will cheer you. She writes: "I suffered for one year from interruption of my periods. I took several medicines, and went to a doctor, but nothing helped me, until I took Cardui, which relieved me, and now I feel well and strong. I am very grateful for the good that

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#### Sleeping on Floors.

Mr. Lawless then asked: Q. "You are comparing this hospital with the most famous hospital in this intry? Is this not so?

Witness then told again of patients sleeping on floors because of lack of

Mr. Lawless then asked witness who told him that a patient had been ducked. The chair ruled the question out, but stated that the person who told Dr. Henderson would be produced at the proper

(A recess of thirty minutes was taken.)
Witness said that patients critically ill
were removed to the infirmary. He did not recall any deaths in the female wards not recall any deaths in the female wards during the year. There had been several posibly a dozen, deaths on the female side in the infirmary. The reason that nearly all the deaths occur in the in-firmary, is because the critical cases as far as posible are removed to the infirmary. The nurses at the infirmary were not trained nurses. He said it was not the custom here to visit the dead patients to ascertain if they were dead. Chairman Sadler asked witness about the Bell suiside.

#### Females Are Watched.

Females Are Watched.

In answer to a question, he said that the female suicidal patients are carefully watched; that all knives and forks are counted before and after meals. Witness said that when he came here there was a woman who had worn a straight jacket for three years, day and night. The attendants said that she would swallow something if the jacket were removed. Witness said that he ordered it to be taken off and took the chances. The woman, he said, is now on the ward and has not worn a jacket for two years, and that she has improved.

Witness said that Petersburg Hospital had larger dormatories and for that reason the patients at night were more castly watched than here.

Chairman Saider then introduced the report of the hospitals of the State, showing that for two years the appropriation had been, Central State Hospital, \$245,000; Eastern State Hospital, \$185,000. The Eastern State Hospital per capita, \$129.18, while the Central (negro) State Hospital is less than \$100.

The chairman then asked this question:

#### Negroes Fare Better. Then the Central (negro) State Hos-

pital is run at an expense to the State at a per capita of less than \$100, with nore comforts and conveniences than t white patients at the Eastern State Ho pital at a per capita of more than \$30 n:ore? Am I correct?"

n:ore? Am I correct?"

A. "Yes; that is correct, and there is no material difference in supplies for the two institutions.' Q. "How do you account for this differ-

enco...
A. "I cannot account for it. I have never made an effort to do so."
Witness then said that he thought that the larger number of patients the smaller

the per capita.

The chairman then filed as an exhibit a copy of the last report of the Commissioner of Hospitals and also a copy of the last report of the Eastern State Hospital

pital.

Witness said he did not think that the difference in the cost of the executive force and attendants at Petersburg would rake up the difference. He did not think the fixed charges for 650 patients would be the same as 1,200 patients.

Witness said regular force was not as large here as in the Central State Hospital.

Witness said in answer to a question that it cost more, according to report, to run a white hospital than a negro hospital. Chairman Sadler here stated that he

Chairman Sadier nore stated that he would have the Commissioner of Hogpitals make up a statement showing the per capita cost to the State of patients at both hospitals, as well as the prices of supplies. The committee then adjourned to meet to-morrow at 3 o'clock. A. P.

#### Called Meeting Monday.

The general Association for the Preservation of Virginia Antiquities will hold an important meeting next Monday at noon in the rooms of the Virginia Historical Society, the object of the meeting being to consider a proposition from the Diocese of Southern Virginia, relative to the church at Jamestown.

#### Basket-Ball Game Postponed,

### CASES BEFORE THE COURT OF APPEALS

United States Court Hands Down Opinions in Several Important Cases.

ceals for the Fourth Circuit convened yesterday morning at half-past 10 o'clock, with Circuit Judges Goff and Pritchard and District Judge Boyd presiding. The No. 633. Mary E. Hamlin, et al., ap-

No. 633. Mary E. Hamiln, et al., appulants, vs. Verginia Passenger and Power Company, et al., appulees. Appeal from the Circuit Court at Richemond. Continued from yesterday. Further argued by Willis B. Smith, for the appulants, and submitted. No. 659. The United States, appellant, vs. Donaldson-Shultz Company, appeller.

vs. Donaldson-Shultz Company, appellee, Appeal from the Clrcult Court of the United States at Richmond, Argued by L. L. Lewis, United States attorney, for the appellant, and by Isaac Diggs, ot Richmond, Va., and H. I. Lewis, of West Point, Va., for the appellee, and submitted.

trial.

No. 632. J. P. Kirven, plaintiff in errorvs. Virginia-Carolina Chemical Company,
defendant in error; in error to the Circuis
Court at Columbia, S. C. Opinion by
Judge Dayton. Afilrmed, with costs.
Continued until the July term:
No. 650. Richmond Standard Steel, Spike
and Iron Company, bankrupt, appellaft,
vs. Otway S. Allen, et al., appellaft,
vs. Otway S. Allen, et al., appellaft,
with the standard Court at Richmond, Va. Continued on motion of Mr.
William L. Royali until the special term
in July. n July. Court adjourned until to-morrow morn-ing at 10 o'clock.

WILL HELP SCHOOLS.

Travelling Expenses of Superinout of General Fund Attorney General William A. Anderson has rendered the following important opinion concerning the traveling expenses of the Superintendent of Public Instruc-

There being no direction anywhere so far as I can find in any statute, requiring the trayeling expenses of the Superintendent of Public Instruction, as prescribed by law, to be paid out of, or charged against, the income out of, or charged against, the income derived from the literary fund, the school fund, or any other specific fund, there can be no question. I think, that the amounts appropriated to cover such expenses of the Superintendent of Public Instruction for the fiscal years aforesaid, are payable out of the public treasury in the same manner as his salary is payable, but the items or accounts of the same must, of course, be approved by the State Board of Education."

"The Power of Secret Sin,"

"The Power of Secret Sin,"

The men's meeting to-morrow afternoon will be of unusual interest and profit to men. Dr. Livius Tankford, of Norfolk, Va., one of the most prominent physicians of that city, will be the speaker; his theme, 'The Power of Secret Sins." It will be a message that every man ought to hear. The Grace Street Baptist Church quartette will sing. The meeting will be held in the Y. M. C. A. auditorium, Main and Sixth Streets, and will commence with a service of song at 3:30 o'clock.

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